County of Beaver No. 9
General Municipal Plan
1984

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MUNICIPAL AFFAIRS

BY-LAW NO. 538

GENERAL MUNICIPAL PLAN BY-LAW

FOR THE COUNTY OF BEAVER NO. 9

WHEREAS pursuant to Section 61 of Planning Act, R.S.A. 1980 a municipality in the Province of Alberta may adopt a General Municipal Plan by by-law; and

WHEREAS Council of the County of Beaver No. 9 by Resolution dated June 9, 1980 did arrange the preparation of the General Municipal Plan by Alberta Municipal Affairs; and

WHEREAS a General Municipal Plan has been prepared by Alberta Municipal Affairs under the direction of Council;

NOW THEREFORE the Council of the County of Beaver No. 9 enacts as follows:

1) This By-law may be cited as "The General Municipal Plan By-law."

2) Council adopts as the General Municipal Plan for the County of Beaver No. 9, in its entirety.

READ A FIRST TIME IN OPEN COUNCIL, this 11th day of February A.D. 1982.

READ A SECOND TIME IN OPEN COUNCIL, this 16th day of July A.D., 1984.

READ A THIRD TIME IN OPEN COUNCIL, AND FINALLY PASSED this 16th day of July A.D., 1984.

John C Warner

REEVE

Hart Bancroft

MUNICIPAL SECRETARY

63-1-07244

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Definitions

(1) "ADJACENT LAND" means land or portion of land that is contiguous to the parcel of land that is subject to a development application and/or land or a portion of land that would be contiguous if not for a public roadway, river or stream.

(2) "AGRICULTURAL USE AREA" means the area, as indicated on Map 1, which is generally comprised of "higher capability agricultural land".

(3) "AIRPORT" means:

a) any area of land or water, including the frozen surfaces thereof, or other supporting surface used or intended to be used either in whole or in part for the arrival or departure or servicing of aircraft; and
b) includes any building, installation or equipment in connection therewith, operated by the Department of National Defence or for which an airport licence has been issued by the Ministry of Transport.

(4) "ACCESSORY USE" means a use customarily incidental and subordinate to the main use or building and is located on the same parcel of land with such main use or building.

(5) "CERTIFICATE OF COMPLIANCE" means an agreement between the owner/operator of livestock facility and Alberta Agriculture and Alberta Environment, which verifies that the confinement livestock facility is considered to be in substantial compliance with the requirements of the "Confinement Livestock Facilities Waste Management Code of Practice".

(6) "COUNCIL" means the Council of County of Beaver #9.

(7) "COUNTRY RESIDENTIAL" means a dwelling with or without accessory buildings and uses which is situated on a parcel used solely for private residential purposes and is in a rural area.

(8) "DEVELOPED LOT" means a lot which contains a habitable residence on a permanent foundation or base and satisfies the minimum floor area; as set out in the County's Land Use Bylaw.

(9) "DEVELOPMENT" means:

a) an excavation or stockpile and the creation of either of them; or
b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them; or
c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or
d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

(10) "DEVELOPMENT OFFICER (D.O.)" means:

a) a person appointed as a development officer pursuant to a resolution of council; or

b) where a municipal planning commission is authorized to act as a development officer, the municipal planning commission; or

c) where a municipal planning commission is authorized to act as a development officer, in addition to a person appointed as a development officer, either or both of them.

(11) "DEVELOPMENT PERMIT" Means a document authorizing a development issued pursuant to a land use bylaw or the land use regulations.

(12) "EXTENSIVE AGRICULTURE" means the use of land or buildings, including the first dwelling for the raising or production of crops, livestock or poultry, but not restricting the generality of the foregoing does not include intensive livestock confinement operations, intensive hog operations, bee-keeping, intensive poultry or fowl operations, sod farm, and plant nurseries.

(13) "EXTENSIVE RECREATIONAL USE" means a recreation development where the prime reason for location in rural areas is to take advantage of natural physical features including the availability of large areas of land to provide for the non-facility oriented recreational activities such as hunting, trail riding, snowmobiling, hiking and other similar uses.

(14) "FARMSTEAD" means the habitable or once habitable residence and other improvements used in the production of crops or livestock, and situated on a quarter section in connection with such farming activities.

(15) "FRAGMENTED PARCEL" means a parcel that is separated from the balance of a quarter section by a natural barrier such as a river or coulee, or by a physical barrier such as a roadway or highway.

(16) "HABITABLE RESIDENCE" means any building or structure which is being used exclusively for human habitation and meets the minimum floor area and construction standards as set out in the Land Use Bylaw.

(17) "HIGHER CAPABILITY AGRICULTURAL LANDS" are generally those with a productivity rating of 30% and greater on the rural farmland assessment, or a Canada Land Inventory agricultural capability of Class 4 or higher. The farmland assessment rating shall take precedence only where a percentage rating has been assigned to the land, otherwise the Canada Land Inventory rating shall apply.

(18) "HIGHWAY" means:

a) a highway or proposed highway that is designated as a primary highway, or,

b) a road, street or highway designated as a secondary road and numbered between 900 and 999.

pursuant to the Public Highways Development Act.

(19) "HISTORICAL RESOURCE" means any work of nature or man, that is primarily of interest for its paleontological, prehistorical, historical, cultural, natural, scientific or aesthetic value including but not limited to, a paleontological, prehistorical, historical or natural site, structure or object, or as otherwise defined in the Alberta Historical Resources Act.

(20) "INTENSIVE AGRICULTURE" means a commercial agricultural operation other than intensive livestock confinement operations which, due to the nature of the operation, require smaller tracts of land. Without restricting the generality of the foregoing, this shall include nurseries, greenhouses, and sod farms.

(21) INTENSIVE LIVESTOCK CONFINEMENT OPERATION" means the concentrated rearing or confinement of livestock at densities greater than two animal units per 0.4 ha. (.98 ac.) of land, with a minimum of 40 animal units, but does not include the confinement for wintering of livestock in the normal ranching operation.

(22) "INTENSIVE RECREATION" means high density recreational activity such as campgrounds, picnic grounds, fishing lodges, beach areas, marinas, riding stables, race tracks, sports fields and golf courses.

(23) "LOT" means:

a) a quarter section;
b) a river lot shown on an official plan referred to in the Surveys Act that is filed or lodged in land titles office;
c) a settlement lot shown on an official plan referred to the Surveys Act that is filed or lodged in a land titles office;
d) a part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title other than be reference to a legal subdivision; or,
e) a part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title by reference to a plan of subdivision.

(24) "LOWER CAPABILITY AGRICULTURAL LANDS" are generally those with a productivity rating of less than 30% on the rural farmland assessment, or a Canada Land Inventory agricultural capability of Class 5 or lower. The farmland assessment rating shall take precedence only where a percentage rating has been assigned to the land, otherwise the Canada Land Inventory rating shall apply.

(25) "MAY" is a operative word meaning a choice is available, with no particular direction or guidance intended.

(26) "MUNICIPAL PLANNING COMMISSION (MPC)" means a municipal planning commission which may be established by council pursuant to the Planning Act.

(27) "NOISE EXPOSURE FORECAST CONTOUR" is a computer generated line surrounding an airport which represents the magnitude of noise effects on people.

(28) "PARCEL" means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.

(29) "PUBLIC ROADWAY" means any street, avenue, service roadway, land or rural road or secondary road as defined in the Public Highways Development Act but does not include a controlled highway.

(30) "RECREATIONAL USE" means a recreational development conducted on a unified basis on a single parcel where the prime reason for location in rural areas is to take advantage of natural physical features including the availability of large areas of land to provide day-to-day sporting and athletic facilities and the structures incidental thereto, and includes ski slopes, golf courses, archery, trap and rifle ranges, race tracks, boating, riding, swimming, picnicking, and similar uses, and may include a refreshment stand incidental to the primary use.

(31) "RESOURCE EXTRACTION INDUSTRY" means an industry engaged in the extraction of natural resources such as clay, sand, gravel, coal and other minerals including petroleum and natural gas, and which may include the processing of these through primary treatment into a raw marketable form.

(32) "RURAL COMMERCIAL USE" means a commercial use that is minor in scale and which serves the farm community in which the use is located, such as farm machinery repair shops, welding shops, or grocery store with gas pumps.

(33) "RURAL INDUSTRIAL PARK" is a development consisting of two or more lots designed and approved for industrial uses for which communal water and/or sewer service is not required and which would constitute the major use of a quarter section of land.

(34) "RURAL INDUSTRY" means an industry involving:

a) the initial processing or storage of farm products which because of odor, noise or inflammable material require large tracts of land for environmental protection; or
b) warehousing or storage of material, goods and equipment; or,
c) natural resource processing industries whose location is tied to the resource; or
d) provision of large scale transportation facilities for freight or passengers; or
e) industrial operations which require relatively large areas of land that are considered unsuitable for an urban area.

(34) "RURAL USE AREA" means the area, as indicated on Map 1, which is generally comprised of "lower capability agricultural land".

(35) "SECONDARY ROAD" means a road designated as such by Ministerial Order pursuant to the Public Highways Development Act and without restricting the generality of the foregoing includes:

a) secondary roads described by plates published in the Alberta Gazette pursuant to Alberta Regulations 164/69 as 900 series.
b) secondary roads described by plates published in the Alberta Gazette pursuant to Alberta Regulation 146/69 as 500, 600, 700 and 800 series.

(36) "SEWAGE DISPOSAL SYSTEM PERMIT" is a permit pursuant to The Plumbing and Drainage Act Regulations which must be obtained from the local plumbing inspector or the provincial plumbing inspector for the district prior to installing a private sewage disposal system.

(37) "SHALL" is an operative word which means the action is obligatory.

(38) "SHOULD" is an operative word which means that, in order to achieve local goals and objectives it is strongly advised that the action be taken. Exceptions shall be made only under extenuating circumstances

(39) "UNIQUE SITE" is a site which has been demonstrated by the proponent to be the only site present within the County which provides for a commercial or industrial development's unique requirements.

(40) "UNIQUE SITE REQUIREMENTS" are a set of site locational requirements which have been demonstrated by the proponent to be necessary in order for a commercial or industrial development to be carried out.

(41) "URBAN SERVICES" means municipal water and sewerage systems, paved roads and storm sewers.

Goal

To conserve and enhance the County's agricultural and rural character by minimizing the negative impacts of growth and development.

The above goal is an attempt to address what the residents and Council of the County of Beaver regard as the County's most important asset, that of agricultural land. Most of the land in the County is presently used for agricultural purposes and related rural lifestyles. The County foresees agriculture as continuing to be the dominant economic and social factor. Consequently, the conservation of agricultural land and other measures designed to assist the continuation of agricultural activities are considered to be very important, and would receive priority over other land uses.

1.0 Agriculture

Statement of Intent

Agriculture is regarded as the most important land use activity in the County of Beaver. Therefore, it is essential that the Plan's intent and policies be directed towards promoting the long term future of agriculture by protecting the land base and providing an environment that will benefit the agricultural community and economy. In order to achieve this, agriculture is viewed as the priority use when affected by competing land uses.

Objectives

a) To ensure that agriculture remains an integral and viable component of the regional economy and rural social structure;

b) to protect agricultural land from unneccessary encroachment;

c) to minimize conflicts between agricultural and non-farm land users;

d) to encourage diversification and intensification of agricultural activities.

Policies

1.1 Two general land use areas are designated on Map 1:
   a) the Agricultural Use Area comprised of higher capability agricultural land; and
   b) the Rural Use Area comprised of lower capability agricultural land

1.2 The Agricultural Use Area generally includes land with "higher agricultural capability" which shall be conserved for agricultural and farm related uses.

1.3 While the primary use of the Agricultural Use Area is for extensive and intensive agricultural uses involving the production of feed grains, cereal grains, forage crops, speciality crops, livestock and other animals on a commercial basis, other uses which in the opinion of Council do not adversely affect present or future agricultural pursuits may be permitted.

1.4 The Rural Use Area generally includes land with lower agricultural capability on which a wider range of agricultural and non-agricultural uses may occur. In addition to the uses outlined above in section 1.3, multi-lot country residential development may be permitted in the Rural Uses Area, in accordance with the country residential policies.

1.5 The minimum parcel size for extensive and intensive agricultural uses in the Rural Use Area and the Agricultural Use Area shall be all the land contained in the parcel on which the development is to be located, as recorded on the Certificate of Title, as registered in the relevant Land Registration Office.

1.6 The minimum parcel size for other uses which may be permitted in the Rural Use Area and Agricultural Use Area shall be in accordance with the corresponding policies set forth in the Plan.

General Policies

1.7 Where agricultural land is taken for roads, rail lines, pipelines or other transmission lines, the municipality should endorse only those proposals which minimize the fragmentation of land.

1.8 Applications for a development permit for new intensive livestock confinement facilities or expansion of existing operations shall be accompanied by written comments on the facility design, siting, and management from the Alberta Agricultural Waste Management Specialists or Alberta Agriculture. The Development Officer shall consider such comments when dealing with the applications.

1.9 The operators of livestock confinement facilities shall be encouraged by the Development Officer to obtain a Certificate of Compliance under the Alberta Agriculture and Alberta Environment Code of Practice.

1.10 The Alberta Agriculture Minimum Distance Separation (MDS) formula shall be applied before subdivision or development approval is granted when expanding or locating new intensive livestock confinement facilities. The MDS formula should also be applied when considering subdivision or development applications for new uses near existing intensive livestock confinement facilities.

2.0 Country Residential

Statement of Intent

The County of Beaver has recently experienced a substantial amount of country residential activity, particularily in the west end of the County. At present, the supply of country residential lots has far exceeded the demand. This had caused concern regarding the ramifications that this form of development may have on existing and future land use, as well as the social, economic and environmental welfare of the County.

At the same time, the Plan realizes that country residential living should be encouraged as one of the "lifestyles" in the County, but one which should only be permitted of a limited nature and under specific criteria. Therefore, the intent of the Plan is to permit county residential development only of a planned nature which does not remove higher capability agricultural land nor cause unacceptable adverse effects on the agricultural economy and community, or the natural environment.

Objectives

a) To maintain options for future land use decisions;

b) to maintain distinctions between non-rural land uses, and spatially separate incompatible rural uses;

c) to provide for a range of rural residential lifestyle opportunities and guide development to suitable areas;

d) to discourage development in areas which are susceptible to flooding or groundwater contamination;

e) to minimize the impact of country residential development on the environment and other rural land uses;

f) to encourage infilling of existing subdivided areas; and

g) to minimize the costs of providing municipal and utility services to country residential lots through the use of good design principles.

Policies

2.1 Country residential growth which would require a disproportionate increase in the existing levels or types of service provided by the municipality should not be permitted.

2.2 The developer of a multi-lot subdivision shall be required to enter into a Development Agreement with the local municipality to avoid unreasonable obligations to the municipality and developer, as a result of such developments. Where subdivision is not involved, the municipality should enter into a Development Agreement prior to granting a development permit.

2.3 Development permit applications for country residences shall be accompanied by documentation from the Plumbing Inspection Branch, Alberta Labour, indicating that satisfactory arrangements have been made regarding the applicant's sewage disposal system.

2.4 Country residential development should be located in proximity to gas, electrical, and telephone lines which have existing spare capacity to sustain the additional usage.

2.5 Country residential subdivisions shall have access to existing good, graded, and gravelled municipal roads.

2.6 Spatial buffers or setbacks shall be maintained between country residential and adjacent incompatible uses.

2.7 Country residential subdivision or development shall not be permitted:

a) within an area likely to be subjected to high level of noise from industry, transportation facilities, and other sources of noise;
b) within the 30 Noise exposure Forecast contour or higher;
c) in close proximity to a resource extraction operation; and
d) within a 1 in 100 year flood plain.

2.8 Country residential lots shall not be less than .4 hectares (1 acre) and no more than 2.0 hectares (5 acres) in size. Where the subdivision is to separate a farmstead the 2.0 hectare (5 acres) maximum may be exceeded if it can be demonstrated by the applicant that additional size is required to include shelter belts and farm buildings ancillary to the farmstead.

2.9 Country residential development shall comply with policies regarding the preservation of critical wildlife habitat, resource extraction, recreation, historical and archeological features.

2.10 The subdivision of land for country residential use shall not be permitted in areas which do not have an existing school bus service or areas where a school bus service cannot be easily extended as determined by the Board of Education

2.11 The Alberta Agriculture Minimum Distance Separation (MDS) formula shall be applied before subdivision or development approval is granted for new or expanding country residential uses near existing intensive livestock confinement facilities.

Multi-Lot Country Residential Subdivision

2.12 Multi-lot country residential subdivisions shall be controlled by the County through the process of land use redesignation.

2.13 A multi-lot country residential subdivision shall be considered a subdivision which creates two or more country residential lots per quarter section.

2.14 Multi-lot country residential subdivisions shall only be permitted on lower capability agricultural lands in the "Rural Use Area" (Rural Use Area is shown on Map #1).

2.15 Country residential lots should be clustered or grouped to reduce potential land use conflicts and minimize service costs.

2.16 Minimum distance setbacks for multi-lot country residential subdivisions from cities, towns, new towns and villages shall be in accordance with the regulations set forth in The Planning Act, 1977 Subdivision Regulations.

2.17 No redesignation of land for multi-lot country residential development shall be considered while more than a total of 225 lots remain undeveloped. This would ensure that approximately 70% of the lots presently registered would be developed.

2.18 If development proceeds so that a total of 225 undeveloped lots remain, then the County may consider additional country residential lots. This will be accomplished by dividing the Rural Use Area into three Sub-Areas as shown on Map #2. Once a Sub-Area has achieved a level of 75 or less undeveloped lots, then the County may redesignate up to one quarter section from the Sub-Area affected, for country residential use.

2.19 Land use designation for multi-lot country residential use development shall be contingent on satisfying the following development criteria:

a) that the site possesses certain aesthetic features such as trees, ravines, hilly terrain or other topographical features which would result in an attractive residential development Where a site is fully or partially treed all possible means will be undertaken to retain the maximum amount of three cover;
b) that the density of development be directly related to the development capability of the land resources. The land resource shall be considered as consisting of the site's potable water supply, topography, vegetation, soil and drainage characteristics. In this regard, development proposals shall include detailed analysis of the environmental constraints of the site and the means which the design aims to protect and harmonize with the natural environment; and
c) that access to individual lots be provided by internal collector roads of a standard acceptable to the County and not directly onto highways or secondary roads.

2.20 The Country shall prepare a study which will determine a suitable percentage of developed to undeveloped lots and serve as a guide to the staging of country residential development. This percentage will involve a cost-benefit analysis of revenues and servicing costs associated with multi-lot development. In addition, the study may review other factors such as location, staging and development criteria. When completed, the study may serve as a basis for making any necessary amendments to "Multi-Lot Country Residential Subdivisions" policies.

2.21 The County shall encourage the re-subdivision of existing country residential subdivisions. The approval of re-subdivision shall be contingent on satisfying the following criteria:

a) the area in question has been designated for multi-lot country residential use;
b) the original subdivision is considered by Council to be sub-standard with respect to the country residential policies as set out in the Plan; and
c) the proposed re-subdivision encourages orderly growth and conforms to the country residential policies as set out in the Plan.

Single Lot Separation for Country Residential Use

2.22 Single lot separations for residential purposes in the form of farmstead separations or on fragmented parcels may be permitted in both the Rural Use Area and the Agricultural Use Area.

2.23 Only one single lot separation in the form of a farmstead separation or a residence on a fragmented parcel for residential use may be permitted per quarter section.

2.24 For residences on fragmented parcels the minimum size is .4 hectares (1 acre). Generally the County will not look favourably on fragmented parcels that exceed 8.0 hectares (20 acres) in size.

2.25 Farmstead separations may be permitted provided that the site conforms to the definition of farmstead, as indicated in the "Definitions" sections of this Plan, and the following conditions are met:

a) the site exhibits characteristics associated with the farming operation such as wells, dug outs, shelter belts, fences, water courses, ancillary farm buildings;
b) capability of on site power; and
c) adequate physical road access.

2.26 County residences on fragmented parcels may be permitted provided that the site conforms with the definition of fragmented parcel, as indicated in the "Definitions" section of this Plan, and the following conditions are met:

a) capability of on site power;
b) adequate physical road access; and
c) a suitable building site.

3.0 Resource Extraction

Statement of Intent

Sand and gravel, coal, oil and gas are important non-renewable resources in the County of Beaver. In order to benefit the County's and region's economy these resources must be protected and extracted efficiently, but not at the risk of damaging the local agricultural community and natural environment. Therefore, it is the intent of this Plan to encourage the utilization of extractive resources in areas of least detrimental impact and to reclaim the land for other productive uses.

Objectives

a) To encourage appropriate resource extraction industries;

b) to minimize conflicts between resource extraction industry and existing or future land uses;

c) to minimize municipal servicing costs due to resource development;

d) to ensure that commercial quantities of gravel are fully utilized and in a manner that best suits the characteristics of each deposit and surrounding area; and

e) to ensure that land disturbed by resource extraction is reclaimed to an equal level, or higher than the land's original agricultural capability.

Policies

3.1 Where a resource extraction operation or industry will disturb the land surface, the proponent of the development in addition to provincial permits and approvals (Sand, Gravel, Clay and Marl Surface Operations Regulation (385/79)), may be required by the County, at the time of the application for a local development permit, to provide a reclamation plan indicating:

a) the sequence and extent of development;
b) the proposed use of land after the development has been concluded;
c) the location and distribution of any higher capability agricultural land;
d) any anticipated interference with surface or subsurface water;
e) any impact on wildlife habitat anticipated by the Wildlife Habitat Biologist;
f) the measures to be taken to mitigate any negative impacts identified in (d) and (e);
g) whether the area contains potential historic resources; and
h) the measures to be taken to reclaim the land to the standards set out in Policy 3.2.

3.2 A municipal development permit for a resource extraction operation may be issued when it has been shown that the reclamation proposed conforms to the Guidelines for the Reclamation of Land in Alberta, and:

a) in the case of agricultural land, the land can be returned to at least the same level of agricultural productivity or higher, using similar inputs as before the development occurred;
b) in the case of potential negative impact on surface or subsurface water, or on wildlife habitats, the mitigative measures be proposed to the satisfaction of the Development Officer; and
c) all resource extraction industries shall enter into a development agreement with the municipality.

3.3 The developer shall enter into an agreement with the municipality to:

a) upgrade and/or maintain roads; and
b) provide noise abatement and visual screening.

3.4 Before a local development permit is issued, the local municipality may require the proponent of a resource extraction development to post an irrevocable letter of credit or performance bond if the former is not available, for the purpose of ensuring reclamation is completed where no similar requirement is made by a provincial department.

3.5 Land which contains a commercial deposit of gravel shall not be subdivided or developed except for uses associated with the sand and gravel operations until the deposit has been removed and the land has been reclaimed in accordance with Policy 3.2.

3.6 Resource extraction operations or industries should be located on lower agricultural capability soils.

3.7 That the developer of a gas or oil well site shall be required to obtain a development permit from the County regarding the construction, upgrading and maintenance of access roads.

3.8 That the proponents of oil and gas, exploration, extraction and processing, be encouraged to enter into an agreement with the County regarding the reclamation of land affected by well sites and pipelines.

4.0 Industrial

Statement of Intent

The County has a substantial economic base in the agricultural, sand and gravel, and petroleum industrial sectors as well as potential for future coal extraction industries. The continuance and expansion of this base in the future is limited due to a finite land base and the non-renewable nature of the mining and petroleum resource sector. In order to ensure a strong long-term economic base for the County, the Plan supports the diversification of the economy in order to compliment the agriculture and natural resources base. Therefore, it is the intent of this Plan to diversify the local economy by encouraging industrialization through the manufacturing and servicing sectors. While the Plan recognizes the need for site specific industrial developments, it is the intent of the Plan to encourage the clustering together of compatible industrial uses in the form of "rural industrial parks".

Objectives

a) To encourage appropriate industrial development in suitable locations;

b) to minimize conflicts between industry and existing or future land uses;

c) to minimize local government costs due to industrial development; and

d) to minimize municipal servicing costs, including transportation.

Policies

4.1 Industries shall not be located on higher capability agricultural land unless the industry satisfies the requirements stated in Policy #3.

4.2 Industries not considered to have unique site requirements shall be located in rural industrial parks.

4.3 Industries that present a hazard to other industrial park users or require unique site requirements may be permitted to locate independently at other acceptable locations in the County.

4.4 Industries that require urban services shall not be permitted except where a joint development/servicing agreement between the County and the adjacent urban Municipality has been finalized.

4.5 All industries shall obtain approvals and permits required by provincial legislation and a development permit from the Municipality.

4.6 Large scale industries which in the opinion of Council may have a significant impact on the community and environment should be redesignated as a "Rural Industrial District" in the Land Use Bylaw.

Site Considerations

4.7 Industrial development shall be directed to land that is physically suited for that type of use, considering factors such as soil, drainage, slopes and availability of necessary services.

4.8 Industrial land shall not be located in areas where they are likely to subject residences, hospitals, schools, or other noise sensitive uses to high levels of noise.

4.9 Appropriate buffers shall be located between industries and other existing and future land uses in order to provide adequate visual or acoustic screening. The expansion potential of the industry should be considered in determining the required buffer.

Economic Considerations

4.10 The proponent of any new industrial development or expansion of such development shall clearly identify any costs associated with providing new services and upgrading existing services, made necessary by that development. The apportionment of costs shall be negotiated by the local municipality and appear in a development agreement before subdivision approval or a development permit is issued.

4.11 Parcel sizes in industrial parks should be varied, with a minimum of .4 hectares (1 acre) in order to accommodate and encourage a mix of rural industries.

5.0 Commercial

Statement of Intent

There presently exist a number of commercial sites located along Highway #14. The majority of these sites are associated with urban municipalities and hamlets. The intent of the Plan is to accommodate commercial facilities adjacent to the highway and secondary road systems in order to meet the basic needs of the highway travelling public. The location and accessibility should not adversely affect the standard of safety, convenience, the functional integrity of the highway and existing service facilities. The Plan also recognizes that specific commercial uses may require unique site locations in order to service the rural community.

Objectives

a) To encourage appropriate commercial development to suitable locations;

b) to minimize conflicts between commercial development and existing or future land uses;

c) to minimize local government costs due to commercial development; and

d) to minimize municipal servicing costs, including transportation.

Policies

5.1 Commercial subdivisions shall be controlled by the County through the process of land use redesignation.

5.2 Highway commercial and general commercial are recognized by the Plan as the two forms of commercial uses which may be permitted in the Agricultural Use Area and the Rural Use Area.

5.3 Commercial uses shall not be permitted:

a) on higher capability agricultural land;
b) in areas of critical wildlife habitat;
c) in areas possessing unique natural, historical or cultural features; and
d) in areas containing potential extraction resources.

5.4 Prior to receiving a land use redesignation for a commercial use, an Area Structure Plan may be required which:

a) precisely defines the boundaries of the proposal;
b) designates suitable building sites;
c) ensures the functional integrity of the adjacent highways is maintained through the use of service roads and limited access points;
d) defines standards of development which may include architecture, landscaping and sign control;
e) identifies methods and facilities for servicing; and
f) includes groundwater and soil permeability tests.

5.5 Highway commercial uses are sites adjacent to primary or secondary highways, established to provide for only the most common and regular service requirements of the highway travelling public.

5.6 Highway commercial uses shall only be permitted in Hamlets or in conjunction with existing highway commercial sites, unless the commercial use is considered to have unique site requirements.

5.7 General commercial uses to service farm and rural populations shall only be permitted in Hamlets and existing commercial areas, unless it is demonstrated that there is justifiable reason and need for such a use in another location.

6.0 Urban Expansion

Statement of Intent

In the County of Beaver, there are a number of incorporated urban centres which provide a range of commercial, industrial, residential and institutional services to the surrounding community. While the Plan recognizes the right of a municipality to determine its own growth, the Plan also realizes the negative effects urban encroachment may have on adjacent rural uses such as agriculture. It is therefore the intent of the Plan to support the continued orderly growth of the incorporated urban centres based on their general municipal plans and co-operation with the County.

There are also two unincorporated centres, the hamlets of Bruce and Kinsella. These are primarily residential communities which provide important social and commercial functions to the agricultural community. It is the intent of the Plan to promote the orderly development of the hamlets by preparing long term plans which correspond to the hamlet's physical potential and encourage the infilling and subdivision of existing parcels.

Objectives

a) To ensure settlement areas expand in an efficient and orderly manner;

b) to ensure that lands needed for future expansion are not used prematurely or indiscriminately in such a manner that would either preclude or significantly increase costs for the conversion to urban uses;

c) to ensure that hamlets have enough land within their respective boundaries to undertake comprehensive land use planning and development of servicing schemes; and

d) to provide for the preparation of Plans regarding the growth and development of hamlets.

Policies

6.1 The municipalities of Tofield, Viking, Holden and Ryley should be encouraged to expand in areas which would minimize the removal of:

a) higher capability agricultural land;
b) regionally significant natural resources; and
c) environmentally sensitive areas.

6.2 The County may support future urban expansion in which:

a) the lands are immediately adjacent to existing municipal boundaries;
b) the land is suited for or can be economically adapted to urban uses and servicing; and
c) the staging of development is in conformance with the urban municipality's general municipal plan.

6.3 Industrial uses may be permitted in the hamlets if they require limited services.

6.4 Residential development shall be encouraged in the hamlets, contingent upon site-specific suitability.

6.5 Area Structure Plans and bylaws should establish development patterns for hamlets which would maintain their distinctive attributes and provide residential opportunities different from those provided in the towns and villages.

6.6 Hamlet expansion should be discouraged from occurring on higher capability agricultural land.

6.7 Hamlet expansion which may jeopardize groundwater supplies or quality shall not be permitted.

6.8 Residential expansion in hamlets which do not have communal water and sewage systems should be planned and designed so that the lots are of a size and the subsequent development is of a configuration which would permit re-plotting to a higher density should communal water and sewage systems eventually be required.

7.0 Wildlife

Statement of Intent

The County of Beaver is fortunate to possess wildlife resources that are not only significant at a local scale but also at a provincial scale. The most prominent wildlife habitat areas have already been recognized, such as the Ministik Bird Sanctuary, Beaverhill Lake, Blackfoot Grazing Reserve. In these areas, wildlife and their habitat are protected through provincial legislation and special land use controls, which are outside of the County's jurisdiction. It is the intent of the Plan to protect, manage and reclaim where necessary areas that are considered important wildlife habitat areas.

Objectives

a) To conserve and protect land containing important wildlife habitat areas;

b) to ensure the continuation of wildlife as a contributor to the character as well as the recreation-tourism potential of the County; and

c) to develop and protect the natural beauty and attraction of water bodies and water courses in such a manner that the resource is conserved.

Policies

7.1 The Plan recognizes the following special status wildlife areas and programs:

a) the Beaverhill Lake Land Use Plan;
b) the Blackfoot Grazing Reserve; and
c) the Ministik Bird Sanctuary.

7.2 The Plan supports and encourages the co-operative actions of various levels of government, private enterprise, land owners and other agencies endeavouring to accomplish wise wildlife management.

7.3 Developments proposed for areas which are believed to contain important wildlife habitat, may be requested to obtain comments from the Wildlife Habitat Biologist regarding the impact the development may have on the habitat. The comments must be received prior to the Municipality's decision.

7.4 To encourage studies that will help identify wildlife distribution and important habitat areas in the County of Beaver.

8.0 Recreation

Statement of Intent

As the demand for recreational land for both public and private use continues to increase, so does the need for planned recreational facilities and areas. The intent of the Plan is to recognize and encourage local recreational uses based on the capabilities of an area to sustain intensive or extensive development. This development shall be located in areas where it does not adversely affect the agricultural economy and community, or components of the natural environment.

Objectives

a) To diversify recreational opportunities;

b) to ensure that the recreational potential of high quality resources is not jeopardized through premature and incompatible development for future generations;

c) to conserve land with a high capability for supporting outdoor recreational activities; and

d) to support studies regarding the development of outdoor recreational opportunities.

Policies

8.1 Where it is deemed that Municipal Reserve is not necessary for the residents of the area, money-in-lieu should be taken and utilized to acquire and develop tracts of desirable recreation areas in the County.

8.2 Prior to disposing of any Municipal Reserve, Council shall review the applicability and effect of such disposition on surrounding land uses and the area's recreational potential.

8.3 An open space buffer of sufficient size and composition to act as a noise and visual barrier shall be required between intensive recreation use areas and other land uses.

8.4 Subdivision and development for recreational purposes shall be in accordance with the following design principles:

a) that the density of development shall be directly related to the development capability of the land resource;
b) that the design shall be directly related to the site's topography vegetation, soil, and drainage characteristics. In this regard the development proposal shall include detailed analysis of the environmental constraints of the site and the means which the design aims to protect and harmonize with the natural environment;
c) that the design shall protect wildlife habitat; and
d) that the design shall protect, maintain and re-establish where necessary, cover and maximize the quality of the natural features.

8.5 To encourage studies which will help identify areas in the County that have recreational potential for various intensive and extensive recreational uses. The studies may also review other factors such as costs, recreational demand and development criteria.

9.0 Historical Resources

Statement of Intent

As far back as possibly 6,000 to 8,000 B.C. a number of cultures and phases of human settlement have been associated with the area. Therefore, a significant number of historic sites and artifacts could remain. It is important that these non-renewable resources be recovered, protected or recorded to provide educational and interpretive opportunities for present and future residents.

Objectives

a) To avoid unnecessary disturbances of all historic resources and to preserve the most important resources wherever technically possible.

Policies

9.1 That all new development or expansion of existing development greater than 4.0 hectares (10 acres), shall be referred to the Archeological Survey of Alberta to determine if an Historical Resource Impact shall be undertaken pursuant to The Alberta Historical Resources Act.

9.2 The developer shall be responsible for conducting studies and providing mitigative measures in areas where the proposal would either destroy or alter the historic resource.

10.0 Environmentally Sensitive Areas

Statement of Intent

The County of Beaver has a rich natural environment comprising of lakes, wetlands, and morraine areas. Often regarded as "useless" in the strict economic sense these areas are becoming increasingly critical as groundwater storage areas, wind breaks preventing erosion, storage areas for surface waters, reservoir areas in times of flood, and habitats for wildlife. Environmentally, sensitive areas provide a natural balance which is essential not only to man's economic relationship with the land, but also his social well being.

Therefore, it is the intent of the Plan to establish and maintain a balance between the non-use and the intensity of use on environmentally sensitive areas.

Objectives

a) To conserve lands and sites containing important wildlife habitat and unique flora;

b) to minimize conflicts between non-compatible land uses and environmentally sensitive areas; and

c) to discourage development from areas which are susceptible to flooding, groundwater contamination or which would affect groundwater flow.

Policies

Policies protecting Environmental Sensitive Areas have been provided in the Plan through other land use policies involving Wildlife, Resource Extraction, Industrial and County Residential as well as other provincial plans and special areas such as the Blackfoot Grazing Reserve, Beaverhill Lake Area, and the Ministik Bird Sancutary.

Due to the lack of information available, it would be premature at this time to develop policies that deal specifically with Environmentally Sensitive Areas.

Plan Administration

Authority of the Plan

a) Pursuant to Section 61, Planning Act, R.S.A. 1980 this Plan shall be adopted by County of Beaver No. 9, as the County of Beaver No. 9 General Municipal Plan.

b) Subdivision, development and re-development of lands within the County of Beaver by the municipality and general public shall be in accordance with the provisions of the Plan.

c) Council shall encourage the Provincial and Federal governments to have regard for the provisions of this Plan in the development and re-development of crown lands, and in the formulation of Provincial and Federal policies and programs, within the County of Beaver.

Land Use By-law

Where this Plan or any part thereof takes effect, every land use by-law in effect in the County of Beaver thereby shall be amended to conform with this Plan.

Amendment

Should changing conditions necessitate an amendment to this Plan, in accordance with Section 139(1), Planning Act, R.S.A. 1980 the amendment shall be by-law.

In order to ensure that the original intent of the Plan is protected and that a proper evaluation of the impact of a proposed amendment on the goal, objectives and policies of the Plan may be evaluated, the following criteria shall apply to consideration of an amendment:

a) a formal request for amendment shall be submitted to Council;
b) the request shall be in the form of a written brief demonstrating the implications and conformity of the proposed amendment with the goal, intent, objectives and policies of the Plan;
c) Council during deliberation on the proposed amendment may refer the request to such agencies as it considers necessary for comment; and
d) Council may request such information as it deems necessary to reach a decision on the proposed amendment.

Review

The planing process is a dynamic process, subject to inevitable change. With this Plan being a major component in the County planning process it is intended that this Plan will be subject to periodic review. Review of the Plan may be initiated in the following ways:

a) a complete or partial review whenever, due to economic, social, technical developments or environmental considerations, the Plan is considered by Council not to meet the long term goals of the County; or

b) a complete review upon the election of a new Council or at least every three years; or

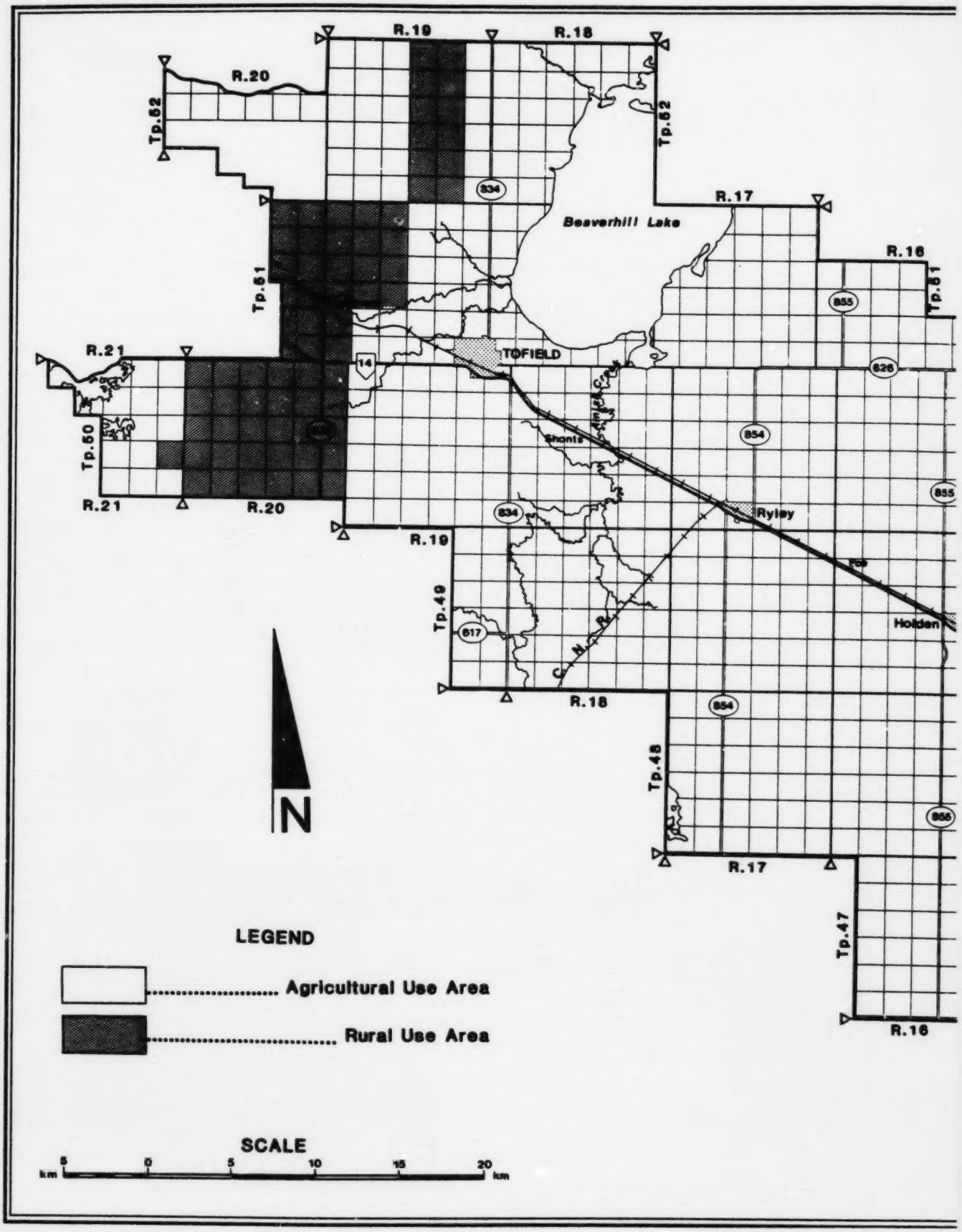
c) a complete or partial review upon amendment pursuant to the section on Amendments.

Monitoring

Essential to the continued effectiveness, viability and relevance of the Plan is the mechanism of monitoring. Monitoring entails the recording and appraising the significance of events, trends and decisions in relation to the Plan. Essentially, therefore, the premise is that circumstances change, and if the Plan does not change with them, it may soon become an obsolete document incapable of providing direction.

This Plan, like any other plan, is based on a set of assumptions, goals and objectives, many of which relate to the future. Over time any one or more of these may change. It is the intent of this Plan to promote the development of formalized procedures and techniques to monitor the changes in the County's land use, development and growth patterns.

This monitoring in combination with the review and amendment processes will form the key elements in ensuring the long term relevancy of the Plan to changing County aspirations and needs.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R.18
R.20
Tp.52
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834
R.17
Beaverhill Lake
R.16
Tp.51
Tp.51
855
R.21
TOFIELD
14
826
Tp.50
Shanty
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855
R.21
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834
Ryley
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617
Holden
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LEGEND
Agricultural Use Area
Rural Use Area
SCALE
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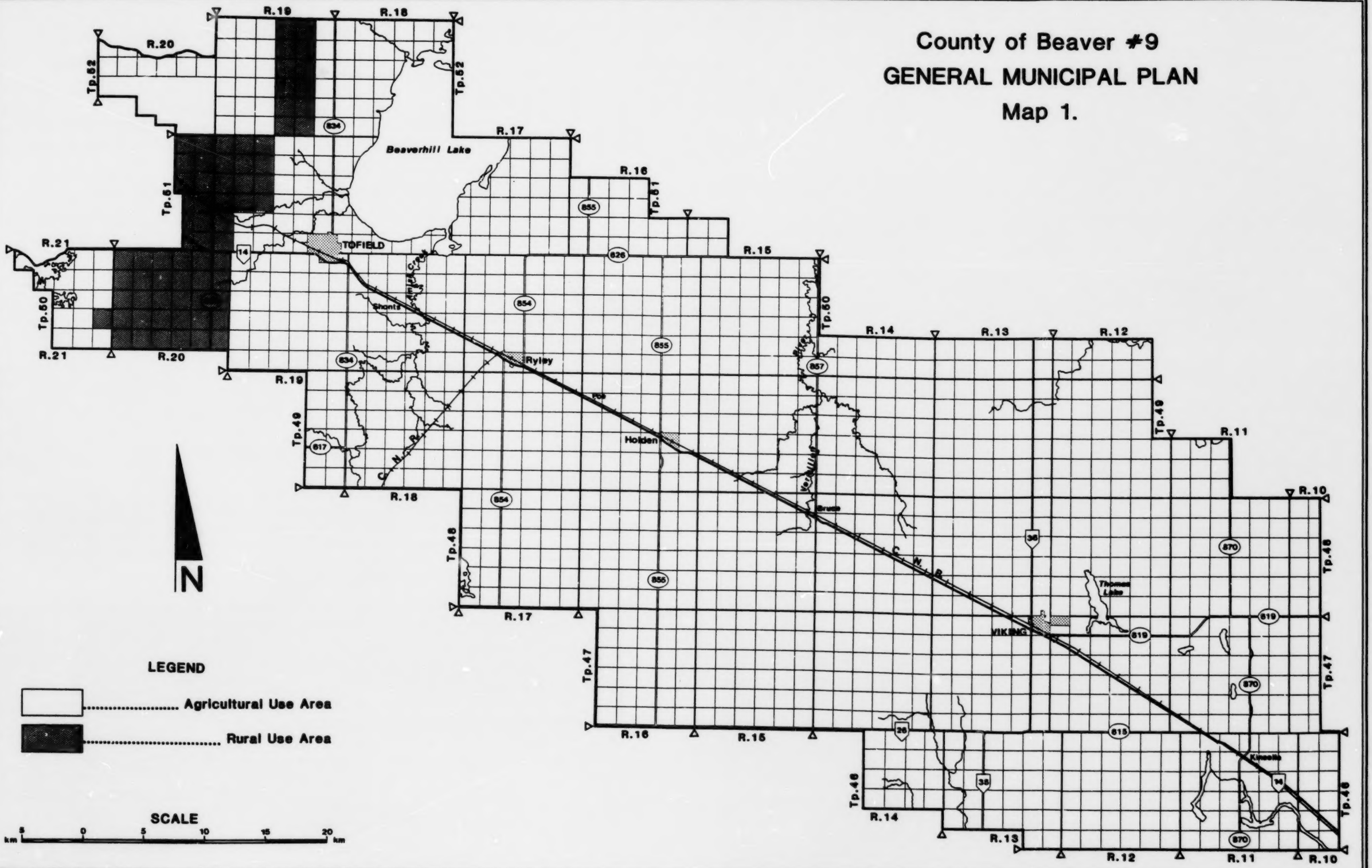
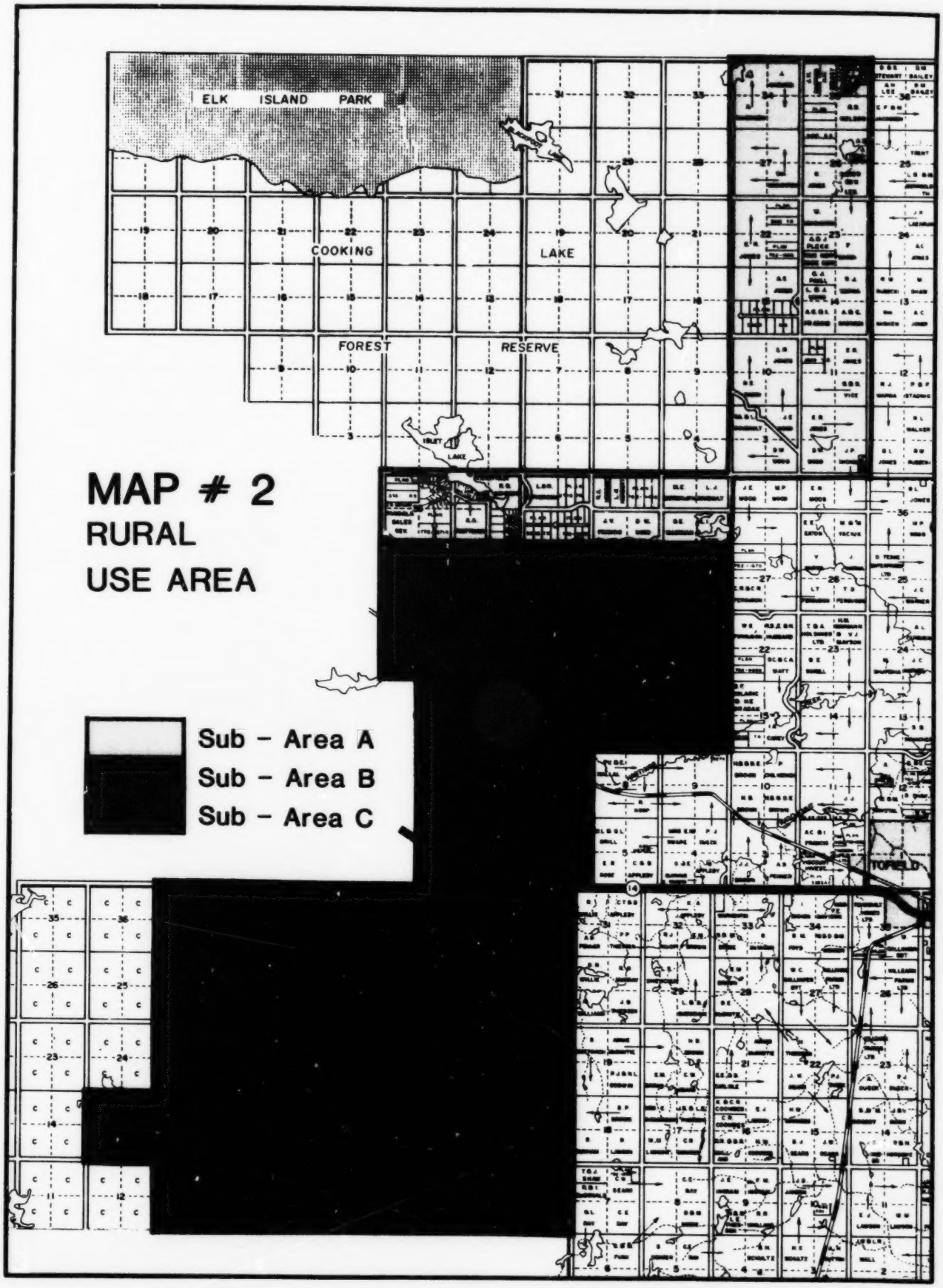
County of Beaver #9
GENERAL MUNICIPAL PLAN
Map 1.




ELK ISLAND PARK
COOKING LAKE
FOREST RESERVE
MAP # 2
RURAL
USE AREA
Sub - Area A
Sub - Area B
Sub - Area C
TOFIELD